

FIRST REGULAR SESSION

HOUSE BILL NO. 361

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CUNNINGHAM (86), LUETKEMEYER AND REINHART.

Read 1st time February 5, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0258L.011

AN ACT

To amend chapter 166, RSMo, by adding thereto one new section relating to health risks for students of public schools.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 166, RSMo, is amended by adding thereto one new section, to be
2 known as section 166.500, to read as follows:

**166.500. 1. For the purpose of reducing or eliminating current health risks to
2 students of public schools, there is hereby created in the state treasury the "Missouri
3 Healthy Schools Fund", which shall consist of three percent of any tobacco settlement
4 moneys received by the state. The fund shall be administered by the department of
5 elementary and secondary education. Upon appropriation, money in the fund shall be used
6 solely for the administration of this section.**

**7 2. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any
8 moneys remaining in the fund at the end of the biennium shall not revert to the credit of
9 the general revenue fund.**

**10 3. The state treasurer shall invest moneys in the fund in the same manner as other
11 funds are invested. Any interest and moneys earned on such investments shall be credited
12 to the fund.**

**13 4. The commissioner of the department of elementary and secondary education
14 shall have the authority to promulgate any rules and regulations necessary to implement
15 the provisions of this section. The department shall develop an application process to
16 determine which schools are in the greatest need for assistance to reduce or eliminate any
17 health risks to the students of those schools. This process shall allow the department to
18 rank schools on the basis of need, with those schools possessing more severe health**

19 **concerns and costly renovations relative to ability to pay receiving money from the fund**
20 **before all others. The department shall, by rule, provide money for renovation of facilities**
21 **for schools that qualify pursuant to the application process, or in extreme circumstances,**
22 **provide money for new construction.**

23 **5. No rule or portion of a rule promulgated pursuant to the authority of this section**
24 **shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.**